

Program B: Alcohol and Tobacco Control

Program Authorization: R.S. 14:93.20; R.S. 15:578 (A)(1); Title 26 of the La. Revised Statutes; R.S. 36:451(B) and (C), 458(E), 459(F), and 921(C).

Program Description

The mission of the Alcohol and Tobacco Control Program To provide the state with an effective regulatory system for the alcoholic beverage and tobacco industries, with emphasis on access to underage individuals through efficient and effective education and enforcement efforts. The goal of the Office of Alcohol and Tobacco Control is reduce underage consumption of alcohol and tobacco industries, with particular emphasis placed on reducing underage access to alcohol and tobacco products through efficient and effective education and enforcement efforts.

Several acts that expanded the functions and responsibilities of the Office of Alcohol and Tobacco Control (OATC) were passed during the 1997 Regular Session of the Louisiana Legislature.

Act 1370, effective October 1, 1997, changed the name of the office and added a license requirement for tobacco products dealers who sell at wholesale, retail, or through vending machines. The OATC is responsible for enforcing the prohibition against sales of tobacco products to youths under the age of 18 years and for registering and permitting tobacco retailers and wholesalers in Louisiana. This licensing program is to help ensure compliance with the Prevention of Youth Access to Tobacco Law.

Act 728, effective August 17, 1997, enacted R. S. 14:93.20 to make it unlawful for alcoholic beverage wholesalers, retailers, or producers domiciled outside of Louisiana to ship directly to consumers in Louisiana unless the shipper is registered with the OATC. The OATC is responsible for enforcing this prohibition and for notifying the U. S. Bureau of Alcohol, Tobacco and Firearms of violations. Act 1054 instituted the Responsible Vendor Program, which is designed to educate vendors and their employees and customers about selling, serving, and consuming alcoholic beverages in a responsible manner and to provide for certification of vendors and servers. The program, which was voluntary effective January 1, 1998, became mandatory January 1, 2000.

The Office of Alcohol and Tobacco Control is comprised of the Administrative and Certification Division and the Enforcement and Field Certification Division. The Administrative and Certification Division is responsible for licensing alcoholic beverage licensees, and responsible vendor providers, trainers, and servers. The Administrative Division issues approximately 30,000 alcohol and tobacco permits annually, as well as over 130,000 responsible vendor server permits statewide. The Enforcement Division is responsible for enforcing Title 26, the Beer and Liquor Law, and the Louisiana Administrative Code. Enforcement agents, in conjunction with local law enforcement personnel, conduct random inspections at locations where alcoholic beverages and tobacco products are sold. Agents also investigate current license holders' operations to ensure compliance with complex fair trade laws that govern the industries. The Division conducts over 21,000 inspections and responds to approximately 10,000 dealer requests annually.

RESOURCE ALLOCATION FOR THE PROGRAM

	ACTUAL 2000-2001	ACT 12 2001-2002	EXISTING 2001-2002	CONTINUATION 2002-2003	RECOMMENDED 2002-2003	RECOMMENDED OVER/(UNDER) EXISTING
MEANS OF FINANCING:						
STATE GENERAL FUND (Direct)	\$0	\$0	\$0	\$0	\$0	\$0
STATE GENERAL FUND BY:						
Interagency Transfers	208,304	149,963	259,583	149,963	149,963	(109,620)
Fees & Self-gen. Revenues	3,358,811	4,300,972	4,342,251	3,630,688	3,813,540	(528,711)
Statutory Dedications	0	0	0	0	0	0
Interim Emergency Board	0	0	0	0	0	0
FEDERAL FUNDS	89,063	202,000	272,017	202,000	202,000	(70,017)
TOTAL MEANS OF FINANCING	\$3,656,178	\$4,652,935	\$4,873,851	\$3,982,651	\$4,165,503	(\$708,348)
EXPENDITURES & REQUEST:						
Salaries	\$2,366,955	\$2,316,632	\$2,702,093	\$2,441,833	\$2,557,119	(\$144,974)
Other Compensation	22,684	65,750	25,755	25,755	25,755	0
Related Benefits	482,032	495,240	532,324	544,391	549,091	16,767
Total Operating Expenses	532,359	691,560	695,267	462,314	476,180	(219,087)
Professional Services	62,597	178,855	275,000	124,983	124,983	(150,017)
Total Other Charges	106,316	605,843	283,156	170,375	219,375	(63,781)
Total Acq. & Major Repairs	83,235	299,055	360,256	213,000	213,000	(147,256)
TOTAL EXPENDITURES AND REQUEST	\$3,656,178	\$4,652,935	\$4,873,851	\$3,982,651	\$4,165,503	(\$708,348)
AUTHORIZED FULL-TIME EQUIVALENTS: Classified	79	79	79	79	73	(6)
Unclassified	2	2	2	2	2	0
TOTAL	81	81	81	81	75	(6)

SOURCE OF FUNDING

This program is funded with Fees and Self-generated Revenues, Interagency Transfers, and Federal Funds. The Fees and Self-Generated Revenues are generated through fees assessed the industry through the required purchase of various licenses, permits, and fines for violations, etc. The Interagency Transfers are from the Department of Health and Hospitals for enforcement of the Prevention of Youth Access to Tobacco Law; from the Department of Public Safety for the enforcement of State and Federal laws prohibiting the sale of alcoholic beverages to underage consumers; and from the Department of Health and Hospitals for the "Combating Underage Drinking" Grant. The Federal Funds are from the U.S. Department of Justice – Office of Juvenile Justice and Delinquency Prevention to enforce underage drinking laws.

MAJOR FINANCIAL CHANGES

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
\$0	\$4,652,935	81	ACT 12 FISCAL YEAR 2001-2002
			BA-7 TRANSACTIONS:
\$0	\$99,922	0	Carry forward of \$99,922 in Interagency Transfers from Department of Health and Hospitals to Alcohol and Tobacco Control Program for contracts that were not completed prior to July 1, 2001 for the implementation of an information repository database to track underage alcohol procurement and consumption in an effort to decrease the non-compliance rate of violators.
\$0	\$41,279	0	Carry forward of \$41,279 in Fees and Self-generated Revenues to purchase two (2) vehicles that were delayed in being delivered.
\$0	\$9,698	0	Carry forward of \$9,698 in Interagency Transfers from the Department of Public Safety for contracts that were not completed prior to July 1, 2001 to perform underage enforcement programs for minors, who illegal purchase alcohol products.
\$0	\$70,017	0	Carry forward of \$70,017 in Federal Funds for contracts that were not completed prior to July 1, 2001 to conduct random alcohol compliance checks in the state, educate youth about alcohol usage, and to enforce underage drinking laws.
\$0	\$4,873,851	81	EXISTING OPERATING BUDGET - December 20, 2001
\$0	\$50,521	0	Annualization of FY 2001-2002 Classified State Employees Merit Increase
\$0	\$45,048	0	Classified State Employees Merit Increases for FY 2002-2003
\$0	\$21,492	0	Risk Management Adjustment
\$0	\$213,000	0	Acquisitions & Major Repairs
\$0	(\$299,055)	0	Non-Recurring Acquisitions & Major Repairs
\$0	(\$220,916)	0	Non-Recurring Carry Forwards
\$0	\$294,460	0	Salary Base Adjustment
\$0	(\$112,231)	0	Attrition Adjustment
\$0	(\$243,102)	0	Salary Funding from Other Line Items
\$0	(\$216,839)	(6)	Gubernatorial Personnel Reduction
\$0	(\$384,719)	0	Other Non-Recurring Adjustments from prior year and current year collections for additional compliance checks to enforce underage tobacco sales laws in FY 2002
\$0	\$2,798	0	Funding provided rental fee for officer copier
\$0	\$77,827	0	Funding provided for automobile maintenance and supplies
\$0	\$42,836	0	Rent expenses at United Plaza
\$0	\$20,532	0	Adjustment in related benefits
\$0	\$4,165,503	75	TOTAL RECOMMENDED

MAJOR FINANCIAL CHANGES

GENERAL FUND	TOTAL	T.O.	DESCRIPTION
\$0	\$0	0	LESS GOVERNOR'S SUPPLEMENTARY RECOMMENDATIONS
\$0	\$4,165,503	75	BASE EXECUTIVE BUDGET FISCAL YEAR 2002-2003
			SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE:
\$0	\$0	0	None
\$0	\$0	0	TOTAL SUPPLEMENTARY RECOMMENDATIONS CONTINGENT ON NEW REVENUE
\$0	\$4,165,503	75	GRAND TOTAL RECOMMENDED

PROFESSIONAL SERVICES

\$30,847	Provide legal research, advice, expert testimony and brief the Commissioner of ATC
\$38,008	Responsible Vendor education
\$46,128	Provide subcontracts to other agencies funded by a federal grant for Enforcing the Underage Drinking Laws Program
\$10,000	Application redesign and technical assistance required to migrate the Underage Alcohol Statewide Information Repository to the web server
\$124,983	TOTAL PROFESSIONAL SERVICES

OTHER CHARGES

\$62,000 Responsible Vendor education

\$62,000 SUB-TOTAL OTHER CHARGES

Interagency Transfers:

\$14,237 Maintenance in State-owned Buildings

\$4,597 Department of Public Safety for computer line usage

\$89,541 Risk Management

\$49,000 OTM Fees

\$157,375 SUB-TOTAL INTERAGENCY TRANSFERS

\$219,375 TOTAL OTHER CHARGES

ACQUISITIONS AND MAJOR REPAIRS

\$213,000 (8) Replacement Vehicles, (5) Two-way Communication Radios, (4) Surveillance Cameras, and (2) Binoculars

\$213,000 TOTAL ACQUISITIONS AND MAJOR REPAIRS